



MERIT ENERGY COMPANY

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September 23, 2009

David Neslin, Director
Colorado Oil & Gas Conservation Commission
1120 Lincoln Street, Suite 801
Denver, CO 80203

Re: 20 Day Certification Letter – Rule 318Ae
Avey 22-9
SE NW, Sec 9, T1N-R66W
Surface Location: 1985' FNL & 2131' FWL
Bottom Hole Location: 1985' FNL & 2131' FWL
Weld County, CO

Dear Mr. Neslin:

Merit Energy Company hereby certifies to the Director the Merit owns one-hundred percent (100%) of the mineral rights in the proposed spacing unit. Therefore, Merit Energy Company respectfully requests the Director to approve this well.

If you have any questions or issues regarding this permit, please contact the engineer Sean Gasser at 972.628.1493.

Yours truly,

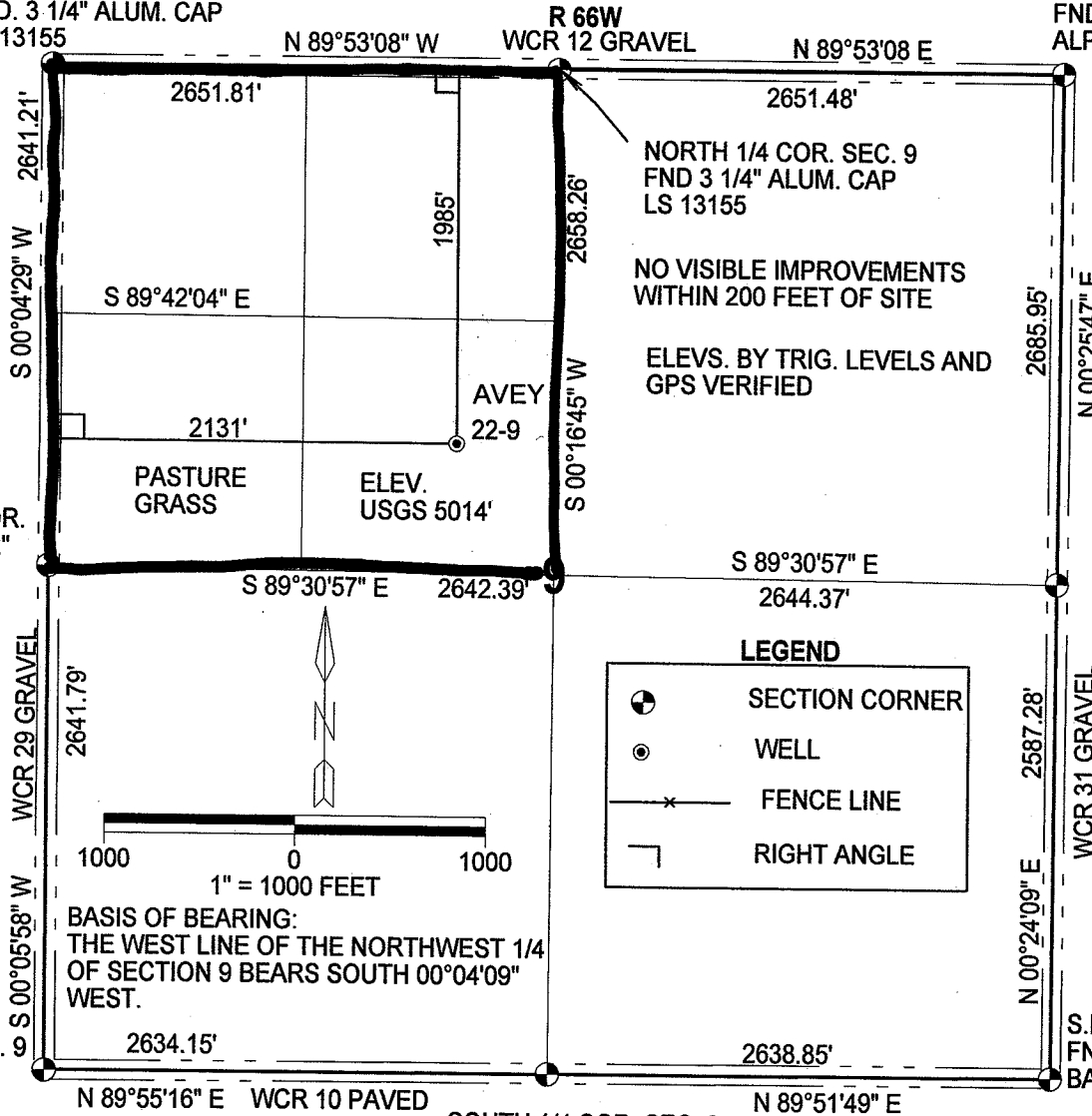
MERIT ENERGY COMPANY

Michal K. White
North Division Regulatory Analyst

WELL LOCATION CERTIFICATE AVEY 22-9

N.W. COR. SEC. 9
FND. 3 1/4" ALUM. CAP
LS 13155

N.E. COR. SEC. 9
FND. 2" ALUM. CAP
ALPHA SURVEYING



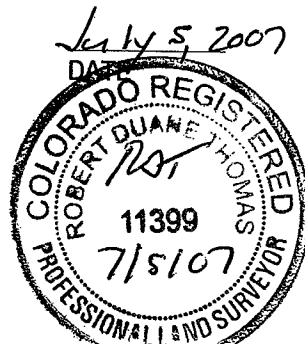
IN ACCORDANCE WITH A REQUEST FROM MERIT ENERGY COMPANY, THE UNDERSIGNED HAS DETERMINED THE LOCATION OF THE AVEY NUMBER 22-9 WELL TO BE 2131' FWL AND 1985' FNL, SECTION 9, TOWNSHIP 1 NORTH, RANGE 66 WEST OF THE 6TH PRINCIPAL MERIDIAN, WELD COUNTY, COLORADO. FIELD SURVEY DATE: FEBRUARY 22, 2007 AND JULY 3, 2007

GPS LOCATION

NORTH 40.06752° NAD 1983
WEST 104.78406°
PDOP 2.5

SURVEYOR STATEMENT

I, ROBERT D. THOMAS DO HEREBY STATE THAT THIS OIL AND, OR GAS WELL LOCATION CERTIFICATE WAS PREPARED FOR MERIT ENERGY COMPANY. IT IS NOT A SURVEY PLAT OR IMPROVEMENT SURVEY PLAT AND IS NOT TO BE RELIED UPON FOR THE ESTABLISHMENT OF FENCES, BUILDINGS OR OTHER FUTURE IMPROVEMENT LINES.

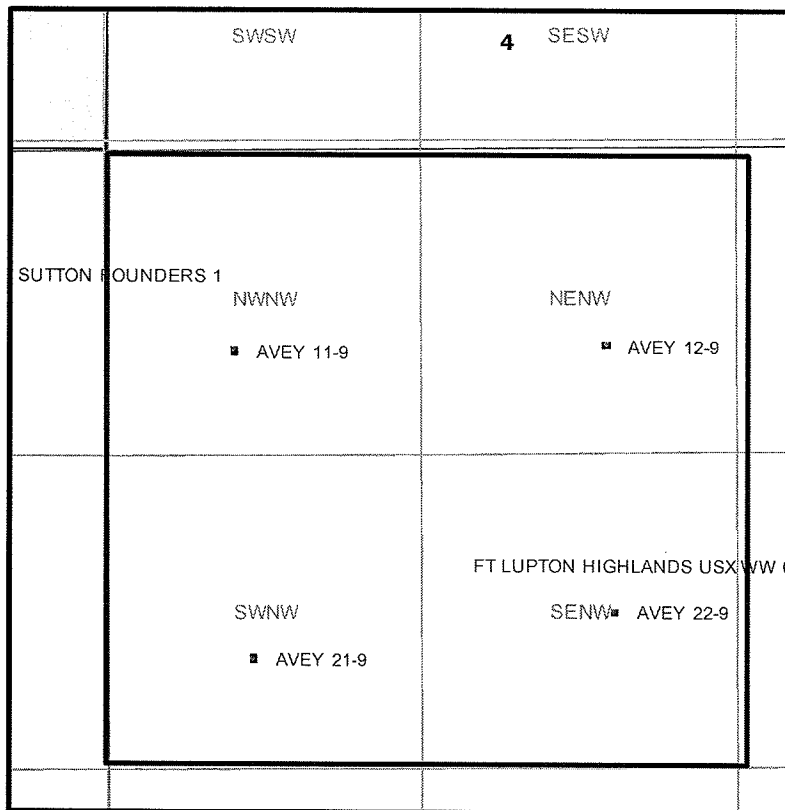


ROBERT D. THOMAS
COLORADO REGISTERED LAND SURVEYOR
NUMBER 11399

THOMAS SURVEY SERVICES, LLC
2619 WEST 11TH STREET ROAD, SUITE 24
GREELEY, COLORADO 80634
TELEPHONE: (970) 304-0984

PROJECT: 0611.019
DRAWING: MERIT AVEY 22-9 REV 1

Avey 22-9
SENW, Section 9, T1N, R66W
Surface Location



LEGEND

☐ Proposed 160 acre Spacing Unit

The governmental $\frac{1}{4}$ section has less than 8 Bottom hole wells producing from the Codell, Niobrara & J-sand formations.